

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

|   |   |
|---|---|
| -----X                                  |   |
| MALIBU MEDIA, LLC,                      | : |
|   | : |
| Plaintiff,                              | : |
|   | : |
| vs.                                     | : |
|   | : |
| JOHN DOE subscriber assigned IP address | : |
| 108.16.242.117,                         | : |
|   | : |
| Defendant.                              | : |
| -----X                                  |   |

Civil Action No. 2:14-cv-01193-SD

**PLAINTIFF’S FIRST MOTION FOR EXTENSION OF TIME WITHIN WHICH IT HAS  
TO SERVE JOHN DOE DEFENDANT WITH A SUMMONS AND COMPLAINT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which Plaintiff has to serve Defendant with a Summons and Complaint, and states:

1. This is a copyright infringement case originally against a John Doe Defendant known to Plaintiff only by an IP address. Defendant’s true identity is known by his or her internet service provider (“ISP”).

2. On March 4, 2014, Plaintiff was granted leave to serve a third party subpoena on Defendant’s ISP, Verizon Internet Services, to obtain the Defendant’s identifying information [CM/ECF 5]. Plaintiff issued the subpoena on or about March 5, 2014, but did not receive the ISP’s response until May 5, 2013.

3. Plaintiff is currently in the process of discussing the matter with Defendant to ascertain Defendant’s intentions with respect to litigation or an early settlement, prior to naming and serving them in the suit.

4. Pursuant to this Court's Order dated April 3, 2014, Plaintiff is required to effectuate service on Defendant by no later than noon on Friday, May 9, 2014. As Plaintiff just recently learned the Defendant's true identity, it has been unable to complete service on them by the current deadline.

5. Procedurally, Plaintiff respectfully requests that the time within which it must effectuate service of a summons and Complaint on the Defendants be extended an additional thirty (30) days, or until June 9, 2014.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the Defendant with a summons and Complaint be extended until June 9, 2014. A proposed order is attached for the Court's convenience.

Dated: May 7, 2014

Respectfully submitted,

FIORE & BARBER, LLC

By: /s/ Christopher P. Fiore  
Christopher P. Fiore, Esquire  
418 Main Street, Suite 100  
Harleysville, PA 19438  
Tel: (215) 256-0205  
Fax: (215) 256-9205  
Email: [cfiore@fiorebarber.com](mailto:cfiore@fiorebarber.com)  
ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that on May 7, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Christopher P. Fiore